

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-002527-003 DT

08/31/2016

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT
A. Olson
Deputy

STATE OF ARIZONA

VANESSA MARIE CUEVAS

v.

STEPHEN PAUL LACY (003)

JON MARTINEZ

TRIAL MINUTE ENTRY
DAY 12

Prior to commencement of today's proceedings, State's exhibits 275 through 276 are marked for identification.

Courtroom SCT 7A

State's Attorney:	Vanessa Cuevas
Defendant's Attorney:	Jon Martinez
Defendant:	Present

Court Reporter, Jeanne Kappedal, is present.

A record of the proceedings is also made digitally.

Case Agent, Officer Jeffrey Smoger, is present assisting counsel for the State.

LET THE RECORD REFLECT the Defense counsel, Jonathan Warshaw is present on behalf of Co-Defendant Cary Barfield (001); John Vingelli is present on behalf of Co-Defendant

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Adam Barfield (002); and Jesus Acosta is present on behalf of Co-Defendant Robert McLaughlin (004). A separate minute entry shall issue as to each Co-Defendant.

LET THE RECORD REFLECT the exhibits are marked under Defendant Cary Barfield (001).

10:52 a.m. Trial to jury continues from 08/30/2016.

The jury is not present.

Discussion is held regarding trial matters.

10:55 a.m. The jury is present.

State's case continues.

Officer Jeffrey Smoger, having been sworn on 08/29/2016, resumes the stand and testifies further.

11:27 a.m. The jury is reminded of the admonition and leaves the courtroom. Court remains in session.

Discussion is held regarding trial matters.

11:36 a.m. The jury returns to the courtroom and trial continues.

Officer Jeffrey Smoger continues to testify.

The Court receives written questions from the jury. Court and counsel discuss the questions, on the record, out of hearing of the jury. The relevant questions are asked and answered by the witness.

FILED: Juror Questions (3)

Officer Jeffrey Smoger is excused.

Detective John McTernan is sworn and testifies.

11:58 a.m. The jury is reminded of the admonition and leaves the courtroom. Court remains in session.

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Discussion is held regarding trial matters.

12:00 p.m. Court stands at recess.

State's exhibits 277 through 278 are marked for identification.

1:47 p.m. Court reconvenes with respective counsel and Defendant present.

Court Reporter, Jeanne Kappedal, is present.

A record of the proceeding is also made digitally.

Case Agent, Officer Jeffrey Smoger, is present assisting counsel for the State.

The jury is not present.

Discussion is held regarding trial matters.

2:03 p.m. Court stands at recess.

2:10 p.m. Court reconvenes with respective counsel and Defendant present.

Court Reporter, Jeanne Kappedal, is present.

A record of the proceeding is also made digitally.

Case Agent, Officer Jeffrey Smoger, is present assisting counsel for the State.

The jury is not present.

Discussion is held regarding trial matters.

2:18 p.m. The jury is present.

Detective John McTernan resumes the stand and testifies further.

State's exhibit 275 is received in evidence.

The witness is excused.

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3:07 p.m. The jury is reminded of the admonition and leaves the courtroom. Court stands at recess.

3:23 p.m. Court reconvenes with respective counsel and Defendant present.

Court Reporter, Jeanne Kappedal, is present.

A record of the proceeding is also made digitally.

Case Agent, Officer Jeffrey Smoger, is present assisting counsel for the State.

The jury is present.

Detective Amber Campbell is sworn and testifies.

LET THE RECORD REFLECT that the witness makes an in-courtroom identification of Defendant, Stephen Lacy.

4:32 p.m. The jury is admonished and leaves the courtroom. Court stands at recess until **09/06/2016 at 1:30 p.m.** before this Division.

LATER:

The Court clarifies its earlier ruling that the statements of “Selena” (Christina Aceves) contained in exhibit 275 are admissible based on Rule 801(d)(2)(E).